

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 1:06cr00151-001</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE JAMES S. GWIN</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>KEVIN MALONEY,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter was heard on December 20, 2012, upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of his supervised release. The defendant was present and represented by Attorney Jacqueline Johnson.

The violation report was referred to Magistrate Judge Nancy A. Vecchiarelli to conduct appropriate proceedings and for the issuance of a Report and Recommendation which was issued on November 29, 2012. No objections were filed by either plaintiff or defendant and the Court adopted the Report and Recommendation of the Magistrate Judge.

The Court entertained statements from counsel for the parties, the supervising officer and the defendant and found the following terms of supervision had been violated:

- 1) illegal drug use;
- 2) failure to submit to drug testing as required.

Therefore, the defendant is committed to the Bureau of Prisons for a term of 8 months and is granted credit for time served in federal custody on the instant violations. The

Court further recommends defendant's participation in a drug treatment program while incarcerated. Upon release from incarceration defendant will be on supervised release for a period of 1 year.

The defendant is remanded to the custody of the U.S. Marshal, Cleveland, Ohio.

Dated: December 20, 2012

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE